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CONFLICT OF LAW—STATUTE OF LIMITATIONS.—The defendant's locomotive in Canada set fire to an international bridge and an action for its destruction was brought in New Hampshire, under a Canadian statute, beyond the limitational period contained in that statute, but within the period of limitations of the forum. On transfer of the case to the Supreme Court, *held*, as regards the Canadian half, if there was evidence showing that the Canadian common law had not been changed by the statute, there would be ground for holding that the plaintiff was not barred of his action. *Connecticut Valley Lumber Co. v. Maine Central R. R.* (N. H. 1918) 103 Atl. 263.

Statutes of limitations are generally construed as procedural and, therefore, to be governed by the *lex fori*. 1 Wood, Limitations (4th ed.) § 8; 18 Columbia Law Rev. 354. Accordingly, where a statute creates a cause of action, but does not limit the time within which the action must be brought, the statute of limitations of the forum governs. *Louisville & N. R. R. v. Burkhart* (1913) 154 Ky. 92, 157 S. W. 13; *O'Shields v. Railway* (1889) 83 Ga. 621, 626, 10 S. W. 268. But, where a statute creates a right which did not exist at common law and also prescribes a period within which the action must be brought, such limitation goes to the right and will control in the forum. *Brunswick Terminal Co. v. National Bank* (C. C. A. 1900) 99 Fed. 635; *cf. The Harrisburg* (1880) 119 U. S. 199. It was suggested in the principal case that an exception to this rule should be made by construing a limitational period as not going to the right where it is contained in a statute declaratory of the common law. The reason for this exception would doubtless be that since there was formerly a right at common law unlimited by a period of limitations, a statute which embodied that right should not be taken to limit it. It is submitted that this is a mistaken view. A statute creates new rights and remedies whether they resemble, or are different from, those previously existing, and the latter may continue to exist along with those newly created. *Bellant v. Brown* (1889) 78 Mich. 294, 44 N. W. 326; *Ryalls v. Mechanics' Mills* (1889) 150 Mass. 190, 22 N. E. 756; *cf. Clare v. New York etc. R. R.* (1898) 172 Mass. 211, 51 N. E. 108. The rights under a statute are, therefore, limited by any provision therein contained, see *Ryalls v. Mechanics' Mills*, *supra*, and a period of limitations contained in a statute should always be considered as going to the right.

CONSTITUTIONAL LAW—EMINENT DOMAIN—AWARD OF COMPENSATION—COURT OF CONDEMNATION.—The Nebraska statute, Laws of 1917, c. 87, §§ 4a-4f, provided that in certain municipal condemnation proceedings the Supreme Court or the Chief Justice thereof should appoint a "court of condemnation" for appraising the value of the property and awarding compensation. *Held*, the "court of condemnation" exercised a judicial function and its members might be appointed by the Supreme Court, but it was not a "court" within the meaning of the constitutional prohibition against creating additional courts. Neb. Constitution, Art. 6, § 1. *In re Appraisalment of Omaha Gas Plant* (Neb. 1918) 169 N. W. 725.

There are two methods of condemning property by right of eminent domain: (a) by administrative order; (b) by judicial decree. 2 Nichols, Eminent Domain (2nd ed.) §§ 369, 370, *et seq.* Examination of the Nebraska statute shows that it combines these two methods, and characteristics of both appear in the "court of condemnation" author-